

THE SCAFFOLD.

In the neighborhood of Hazelton there reside an Irish girl, with whom Devany, who appears to have been rather feckle, forthwith fell in love, and gave a promise of marriage. When his amour had reached this stage

he broke off his correspondence with his wife, who, however, still continued to write to him, importuning him for a reply. At length he complied with her request, bidding her to meet him at Easton. Thither she came without delay; but when the long separated couple met, the jealous husband insisted on going to his father's house, and refused to entertain any objection; but the wife was determined, and at last reached the home of her faithless spouse, where she arrived about the 22d of July last. She took lodgings at a boarding house kept by a Mrs. McKelvey, but before going there her husband informed her of the state of his affairs. He insisted that, as he was soon to marry

brother would be produced might have some of the girl's relatives to kill him. He was very much more faithful to his vows, and at last he promised that he would banish all thoughts of an mistress, and live happily and lawfully with her.

On the evening of the 24th of July Devany called at Mrs. McKelvey's, and he and his wife went out to together. Nothing further was heard of the latter until her death body was found by the jury. He had been searching for her, on the 26th. He was found lying in the woods, about a mile beyond the limits of the village, with his head and face covered with blood, and from ear to ear, and a pistol ball had penetrated his left breast.

As soon as Mrs. Devany had disappeared suspicion was cast on her husband, and he was arrested but a few minutes before the corpse of his victim was discovered. On his person a five-barrelled pistol was found, one barrel being empty, and the other four loaded. His body was found at 11¹/₂ boarding lane, saturated with blood, although an effort had been made to remove these marks of guilt by the use of water and soap.

It was further stated by the jury that they had heard the reports of firearms about ten o'clock on the evening of the 24th, in the vicinity of the place where the body was discovered, and followed it up.

On the strength of this circumstantial testimony Devany was indicted on the 28th of August, and on the 4th of September he was committed to the County Jail.

Deputy Attorney Randall conducted the prosecution, the defence being in the hands of Messrs. Ward, Osborne and Mahon. The trial lasted but two days, and resulted in a verdict of murder in the first degree.

THE COLE-HISCOCK HOMICIDE.

SPECIAL CORRESPONDENCE OF THE HERALD.

The affidavits in Full Submitted in Support of the Motion for a New Trial.

ALBANY, N. Y., 13. 1867.

The various affidavits submitted by Mr. William J. Hadley, one of the counsel of George W. Cole, in the matter of the Hiscock homicide, to Justice Ruess W. Feckham, of the Albany Oyer and Terminer Court, in support of a motion to postpone the trial to the February term, and which motion fully succeeded, as I advised you yesterday, are given herewith in full—

AFFIDAVIT OF GEORGE W. COLE.

*Albany County, ss:—*George W. Cole, being duly sworn, deposes and says that he is the defendant in the above entitled case; that he has fully and fairly stated this case and his defence therein to William J. Hadley, of the city of Albany, one of the counsel for and a defendant in the above entitled case; that the deponent has a good and substantial defence upon the merits of the said indictment, as he is advised by his counsel after the said indictment, and after he has been exposed to public faith that Mrs. Elizabeth Anderson, wife of Yale Anderson, and Mrs. Mary Cuyler, wife of John L. Cuyler, both of whom reside in the city of Albany, in the county of Rensselaer, Francis A. Mahon, who resides at Laurel, in the State of Maryland; Dr. M. R.

[illegible]

Orlando County, Fla.—Yale Anderson, being duly sworn, does depose and say, that he is the husband of Mrs. Cole, with a child named, of Syracuse, in this State, who is a feeble-minded person, and is so prostrated by disease and confined to her bed, and it is so feeble that none but her attendants are allowed to see her; that it would be impossible for her to attend the trial of the case against her husband, in the present condition of her mind, and in such a nervous state of mind that it would be very dangerous to her health to be examined at her room to be an officer; that deponent's said wife had been for some time in the city of Syracuse, and had been there for some time, so that she came home about three weeks since, but immediately after her return she was taken down with a severe attack of pleurisy, which, with her former disease, has prostrated her, and she is now confined to her bed; that deponent and his said wife lived upon the northeast corner of Montgomery and Cedar streets, in the city of Syracuse, next west of the house where Mrs. Cole, the wife of the defendant, had resided during the year 1907; that deponent and his said wife have been married, and she is at present the plaintiff in attendance upon deponent's said wife.

YALE ANDERSON.

Sworn before me this 6th day of November, 1907.—

APPROVED OF DR. LYMAN C. LEITCH.

On Monday night, viz., Lyman Clark, being duly sworn, deposes and says that he was a practicing physician and surgeon, residing and carrying on his office at the city of Portland, Me., and that he has been for some time past the attending physician of Mrs. Elizabeth Anderson, wife of Yale Anderson, both named in the annexed affidavit; that Mrs. Anderson resorted to him on account of certain sprains about the neck and back, and shortly thereafter, on account of a state of pleurisy, which, with her other difficulties, has completely prostrated her, so that defendant has advised her family that it would not be safe for her to go to her home, and that some but her attendants should be near that she is very weak and in a nervous state of mind, and it would be dangerous to her health for her to be removed as a wife and mother of a family of children; that he has learned the nature of her disease and the general character of her constitution, that she will continue in that condition for several days to come, although he has hopes that if she will receive the proper and attention she will ultimately improve in health.

LYMAN CLARY, M. D.
Sworn before me on this 6th day of November, 1891—
J. A. INTERSTATE, Commissioner of Deeds.

AFFIDAVIT OF MR. MARY E. CUYLER.

Grand Jurors do, Mary E. Cuyler, being duly sworn, depose and say that she is the wife of Mr. John L. Cuyler, and resides in the city of Syracuse, in said county; that deponent is now pregnant with her first child, and the natural and ordinary period of gestation is now about to expire; that deponent desires to be confined in childbirth at any period between the middle of the month of November and the 1st day of December, next, and that the period of gestation is such as to render it impossible, and, in her judgment, dangerous to her life to leave home, or to undergo the excitement of attending at the trial of this case at any time after the 1st day of November, next, and during the period of her gestation, being subject to very great excitement and mental agitation, in consequence of the trial of this case, and that, in view of the facts in this case, and, from her present symptoms and feelings, she is apprehensive of a protracted and painful period of labor in her delivery.

Sworn before me on this 6th day of November, 1891—
HORACE H. WALPOLE, Commissioner of Deeds.

AFFIDAVIT OF DR. WILLIAM ROBERT ROY.

Grand Jurors do, Dr. William Robert Roy, being duly sworn, do depose and say that he is a practicing physician and surgeon, residing and carrying on business in the city of Syracuse, in said county, and that, on some time past the attending physician of Mrs. Mary Cuyler, the deponent in the annexed deposition named, that Mrs. Mary Cuyler, is now pregnant with her first child, and that, in view of the facts of the deponent, it would be unsafe and might be dangerous to her life to expose her to the excitement in

The Troy Times says Cassi French never made from twenty-two to twenty-five cents per barrel for apples. The business has been running a good share of the season at a loss, but are now beginning to realize a handsome